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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action
:
LAWRENCE KAPLAN, D.D.S. : CONSENT ORDER
:
TO PRACTICE DENTISTRY IN THE :
STATE OF NEW JERSEY :

THIS MATTER was opened to the New Jersey State Board of Dentistry (hereinafter the "Board") upon the receipt of a patient complaint from Tom Truskoff concerning the dental services rendered to him by Mary E. Wicenski, D.M.D., a/k/a Mary E. Dermody, D.M.D., a dentist employed in the dental office of Lawrence Kaplan, D.D.S., (hereinafter the "Respondent"), known as Dental 2000, in or about July, 1995. The treatment to Mr. Truskoff consisted of periodontal scaling, crown and bridge work on teeth #29 and 30, and restorative dental work on tooth #31.

The Board reviewed the entire record concerning the complaint of the patient, including additional submitted documents, and acquired additional information at an Investigative Inquiry attended by respondent, Lawrence Kaplan, D.D.S., without counsel, on April 17, 1996, and an Inquiry attended by Mary E. Wicenski, D.M.D., with her counsel, Arthur J. Timins, Esq., on

November 20, 1996, in regard to the treatment of Mr. Truskoff. A review of the treatment rendered to the patient by Dr. Wicenski in Dr. Kaplan's office, indicated that the treatment deviated from the generally accepted standards of an average qualified dentist in violation of N.J.S.A. 45:1-21(d). The Board concluded that Dr. Wicenski had improperly prepared teeth #29 and 30 for crowns in the presence of active Type III periodontal disease on the same day that a periodontal scaling was performed on the patient. It also appears to the Board that the respondent prepared the treatment plan and concurred with the treatment of patient Tom Truskoff.

It appearing that respondent wishes to resolve this matter without recourse to formal proceedings and for good cause shown,

IT IS on this 18th day of June, 1997,

ORDERED, that:

1. Respondent, Lawrence Kaplan, D.D.S., shall be responsible, pursuant to N.J.A.C. 13:30-8.15(f) for the reimbursement of fees to the patient, Tom Truskoff, in the total amount of \$1,617.00, which represents the amount paid by Mr. Truskoff to respondent through Dental 2000 for crowns for teeth #29 and 30; a two-surface amalgam for tooth #31, and a four-surface composite for teeth #29 and 30. The restitution shall be paid by means of certified checks or money orders made payable to the patient "Tom Truskoff." The payment shall be submitted to Agnes Clarke, Executive Director of the State Board of Dentistry, 124 Halsey Street, P.O. Box 45005, Newark, New Jersey 07101, as follows: (1) the first payment of \$417.00 shall be paid contemporaneously with the entry of this Order; and (2) the remaining (3) equal monthly installments of \$400.00 shall be due and owing no later than the first day of each month

commencing July 1, 1997. Any failure to make a payment when due shall cause the entire remaining balance to become immediately due and payable.

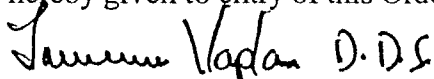
2. Respondent shall waive and shall take no action to collect from Mr. Truskoff the outstanding balance in the amount of \$400.00 representing additional laboratory costs for teeth #29 and 30. In the event respondent already has commenced any action to attempt to collect any balance on this patient's account, respondent shall take affirmative action to terminate any further attempts to collect the outstanding balance.

3. Respondent, Lawrence Kaplan, D.D.S., shall forward to Agnes Clarke, Executive Director of the Board of Dentistry, at the address listed above, the sum of \$ 123.54, by certified check or money order made payable to "State of New Jersey," within thirty (30) days of the date of the entry of this Order, which represents the costs of the investigation of this matter.



ANTHONY M. VILLANE, JR., D.D.S.
President of the State Board of Dentistry

I have read and understand the within Order and agree to be bound by its terms. Consent is hereby given to entry of this Order.



Lawrence Kaplan, D.D.S.